

REMARKS/ARGUMENTS

Claims 1, 4, 5, and 6 have been amended.

The Drawings

The Examiner objected to the drawings under 37 CFR 1.83(a). The Examiner objected to drawings stating that the constant width dimension as claimed in claim 10 is not shown in the drawings. That the feature defined in claim 10 is clearly apparent from Fig. 1 and supported by the description in paragraph [0043] of the specification.

Enclosed please find Appendix I (a mark up version of Fig. 1), which was prepared for better understanding what is meant by claim 10. In the attached Fig. 1, a portion meant by "outer circumferential inner surface of the pressure-receiving chamber 64 defined by the outer sleeve 14 and the elastic body 16" is highlighted in pink, while the flexible partition is highlighted in green. As is clearly apparent from the attached Fig. 1, the pressure receiving chamber extending with an approximately constant width dimension is formed between the pink colored portion and the green colored portion.

The feature is defined in claim 10 is shown in Fig. 1, and is fully supported by the explanation in paragraph [0043] of the specification. For the above reasons, we respectfully request the Examiner to withdrawn the objection to drawings.

Rejections Under 35 U.S.C. § 112

The Examiner has rejected claims 1-10 under 35 U.S.C. § 112, second paragraph, as being indefinite. The claims have been amended according to the Examiner's comments, as follows:

Claim 1 is amended to clarify the meaning in last 4 lines that has been rejected by the Examiner. Namely, it clarifies that (i) an outer peripheral portion of the cylindrical portion of the flexible portion is fixed to the orifice defining member (see point A indicated by arrow in the attached Fig. 1); and (ii) an inner peripheral portion of the cylindrical portion of the flexible portion is fixed to the inner shaft member (see point B indicated by arrow in attached Fig. 1).

Regarding claims 4-6, the Examiner stated that it is unclear on line 3 which "said one axial end portion" is being claimed, since a plurality of these end portions were claimed in claim 1. Claim 1 is further amended to number the axially opposite end portions of the inner shaft member and the outer sleeve member, instead of "one" and "other", and rejected claims 4-6 are accordingly amended to recite the numbers used in claim 1, thereby clarifying what is meant by the rejected sentences.

Claim 9 defines the features in configuration and position of the cylindrical portion of the flexible partition as shown in Fig. 1, and fully supported by the explanation in paragraph [0038] of the specification.

Regarding claim 10, in the attached Fig. 1, a portion meant by "outer circumferential inner surface of the pressure-receiving chamber 64 defined by the outer sleeve 14 and the elastic body 16" is highlighted in pink, while the flexible partition is highlighted in green. As is clearly apparent from the attached Fig. 1, the pressure receiving chamber extending with an approximately constant width dimension is formed between the pink colored portion and the blue colored portion.

The feature is defined in claim 10 is shown in Fig. 1, and is fully supported by the explanation in paragraph [0043] of the specification.

For the above reasons stated above, claims 1, 4-6, 9 and 10, as amended, clearly define the invention.

Rejections Under 35 U.S.C. § 102

The Examiner has rejected claims 1, 8, 9, and 10 under 35 U.S.C. § 102 as being anticipated by Japanese publication 9-229128.

Before discussing the presently claimed invention as distinguished from the cited reference, we would like to briefly explain the features of the present invention.

The present invention relates generally to a cylindrical fluid-filled vibration damping device, and was developed in an effort to solve the problem experienced in conventional devices (e.g., JP-A-8-170686, JP-A-9-229128, and JP-A-10-1320167) wherein inner or outer peripheral portion of the rubber partition is held in axially slidably contact with the inner shaft member or the outer sleeve member, in an effort to increase an amount of fluid flow between the pressure-receiving chamber and the equilibrium chamber through the orifice passage during input of axial load to the device (see paragraph [0005] and [0006] of the specification), but these conventional devices suffer from the problem of insufficient sealing of the rubber partition whose peripheral portion is held in slidably contact with the inner shaft member or outer sleeve member.

That is, the present invention provides a fluid-filled cylindrical vibration-damping device that is capable of (1) providing a sufficient amount of fluid flow between the pressure-receiving chamber and the equilibrium chamber through the orifice passage during input of axial load to the device, while (2) eliminating the problem of insufficient sealing of the rubber partition.

In order to provide such a fluid-filled cylindrical vibration-damping device that enjoys the aforesaid features (1) and (2), it is essential for the device to have the flexible partition 46 including:

(a) a cylindrical portion 48 axially protruding from an inner peripheral portion of the orifice defining member 52 toward the elastic body 16; and

(b) an annular curved portion 50 curvedly extending radially inwardly from a protruding end portion of the cylindrical portion to the inner shaft member 12,
and

(c) an outer peripheral portion of the cylindrical portion 48 of the flexible partition 46 is fixed to the orifice-defining member 52, while

(d) an inner peripheral portion of the cylindrical portion 48 of the flexible partition 46 is fixed to the inner shaft member 12.

It should be noted that the cited reference JP-A-9-229128 merely discloses one example of the conventional cylindrical fluid-filled vibration damping device containing therein the problem that was solved by the present invention, as stated above regarding conventional devices (e.g., JP-A-8-170686, JP-A-9-229128, and JP-A-10-1320167).

Therefore, JP-A-9-229128 fails to teach at least the essential feature (d) mentioned above, contrary to the Examiner's allegation. More specifically, as shown in FIG.'s 1-4 of JP-A-9-229128, the sealing lip 13 partitioning the first and second chambers 21, 22 from each other is just forcedly held in contact with the inner shaft member 5, but not fixed to the inner shaft member 5 (see column 5, lines 9-11).

As a result of lacking this essential feature (d), the device disclosed in JP-A-9-229128 suffers from the problem of insufficient sealing of the rubber partition, and is not able to provide a so-called "piston effect" as in the present invention (see paragraph [0011] of the specification) that generates sufficient amount of fluid flow between the pressure receiving chamber and the equilibrium chamber.

For the above reasons, we believe that 1 and claims directly or indirectly depending therefrom are neither anticipated by nor would have been obvious over JP-A-9-229128.

Rejections Under 35 U.S.C. § 103

The Examiner has rejected claim 3 under 35 U.S.C. § 103 as being unpatentable over '128.

Claims 4-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over '128 in view of Kanda (for claim 4-7).

Claims 3-7 depend either directly or indirectly from independent claim 1 and are therefore also allowable over the cited arts for the reasons stated for claim 1. In addition, Kanda neither suggest nor anticipate the essential features (a)-(d) of the invention stated above. For the above reasons, claims 3-7 are neither anticipated by nor made obvious by the cited references.


Allowable Subject Matter

The Examiner stated that claim 2 would be allowable if rewritten the rejections under 35 U.S.C. 112, second paragraph, set forth in the Office action and to include all of the limitations of the base claim and any intervening claims. The applicants appreciate the Examiner's comments regarding the allowability of claim 2. Due to the amendments to claim 1, we believe that claim 1 is currently allowable and will so amend claim 2 if required at a later time.

Applicants believe that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,

BEYER WEAVER & THOMAS, LLP

A handwritten signature in black ink, appearing to read "Michael Lee", with a stylized, cursive script.

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